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REGINALD POWE, et al.,

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Plaintiffs,

08 Civ. 1963 (JGK)

- against -

ORDER

CAMBIUM LEARNING COMPANY,

Defendant.

JOHN G. KOELTL, District Judge:

For the reasons stated on the record held on July 15, 2008, the plaintiff's request for leave to replead is granted, and the defendant's motion to dismiss (Docket No. 4) is denied without prejudice as moot. The plaintiff should file an amended complaint by August 15, 2008. The defendant's time to move or answer is extended to September 5, 2008.

SO ORDERED.

Dated: New York, New York

July 15, 2008

John G. Koeltl

United States District Judge